

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT APPLICATION

In re PATENT APPLICATION of

Inventor(s): ESCH et al.

Appln. No.: 08

870,591

Group Art Unit: 1754

Examiner.: Hendrickson

Atty. Dkt. 238397

PMS

93 200 FH

Series Code ↑

Serial No. ↑

Filed: June 6, 1997

Title: PRECIPITATED SILICAS

(Our Deposit Account No. 03-3975)

(Our Order No. 21123

238397

M#

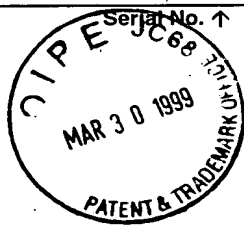
Client Ref

C#

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Date: March 30, 1999

Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231



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APR 2 1999

GROUP 1700

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated December 30, 1998 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate.
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer - unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" verified statement filed: ☐ herewith. ☐ previously.

6. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, see box 12 below first and decide: enter	\$300/150*	\$300 119/219
If box 2 above is X'd, see box 12 below first and decide: enter	\$300/150*	\$ 120/220
If box 3 above is X'd, see box 12 below first and decide: enter	\$260/130*	\$ 121/221
If box 4 above is X'd, enter nothing	- 0 - (no fee)	
7. Original due date: MARCH 30, 1999		
8. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	\$110/\$55 115/215
	(2 mos)	\$380/\$190 116/216
	(3 mos)	\$870/\$435 117/217
	(4 mos)	\$1360/\$680 + 118/218
9. Enter any previous extension fee paid <input type="checkbox"/> previously since above original due date (item 7); <input type="checkbox"/> with concurrently filed amendment		-
10. Subtract line 9 from line 8 and enter: Total Extension Fee	+	
11. TOTAL FEE ATTACHED =	\$300	

12. ☐ *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 100, credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Madison & Sutro LLP Intellectual Property Group

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NOTE: Fill this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments